

Panaji, 15th December, 1977 (Agrahayana 24, 1899)

SERIES II No. 37

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Works, Education and Tourism Department

Order

No. 13-20-77-EDN

Shri A. Bhaskar Rao, a candidate recommended by Union Public Service Commission is hereby temporarily appointed as Lecturer in Mathematics in the Government Polytechnic with effect from 2-12-1977 (F.N.) in the pay scale of Rs. 700-40-900-EB-40-100-50-1300 plus the usual allowance admissible from time to time.

His initial pay shall be fixed at minimum of the scale of pay as recommended by Union Public Service Commission vide their letter No. F.1/435/77-RD dated 30-9-1977.

The appointment is subject to the conditions specified in this office memorandum of even number dated 12-10-1977 and the rules and regulations laid down by Government from time to time.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary (Works, Edn. & Tourism).

Panaji, 9th December, 1977.

Forest and Agriculture Department

Order

No. 2-75-70-FOR

Shri J. R. Mahambrey, Range Forest Officer, is promoted purely on ad hoc basis, to the post of Assistant Conservator of Forests (a Group B post), in the Forest Department, Panaji, with immediate effect, in the pay scale of Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200 against the post created under the Government Order No. 1-175-PLG dated 30th June, 1977.

He is entitled to draw allowances as may be admissible under the rules in force.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Under Secretary (Forest & Agri.).

Panaji, 8th December, 1977.

Local Administration and Welfare Department

Notification

No. 2-5-75/UDD

Read: — 1) Govt. Notification No. HS-12-2/68 dated 1-8-1968 and HS-13-3-68 dated 14-8-1968

prescribing Rules for the grant of loans under LIG and MIG Housing Schemes.

- 2) Govt. of India, Ministry of Works and Housing's letter No. 24(13)/74-HII dated 14-1-1975 conveying approval for the re-delegation of powers of sanctioning loans under the above schemes to the Collector of Goa and the Collector of Daman.

Govt. is pleased to declare the following two officers as sanctioning authorities for the purpose of granting loans under LIG and MIG Housing Schemes prescribed under Govt. Notification referred to above, in respect of areas shown against each of them:

Sr. No.	Designation of the Officer	Area for which declared as sanctioning authority
1.	Collector of Goa	For Goa and Diu Districts.
2.	Collector of Daman	For Daman District.

By order and in the name of the Administrator of Goa, Daman and Diu.

E. N. Rodrigues, Under Secretary (Revenue).

Panaji, 1st December, 1977.

Notification

No. CDB/Coop/Committee/106/77/7137

- Read: 1. Government Notification No. CDB/Coop/Committee/106/73/5130 dated 27-9-73.
2. Government Notification No. CDB/Coop/Committee/106/73/3278/3567 dated 1-5-1975.
3. Government Notification No. CDB/Coop/Committee/106/73/294 dated 19-1-1976.
4. Government Notification No. CDB/Coop/Committee/106/73/6811 dated 22-9-1976.
5. Government Notification No. CDB/Coop/Committee/106/73/8983 dated 20-11-1976.
6. Government Notification No. CDB/Coop/Committee/106/77/1513 dated 15-3-1977.

In pursuance of bye-law No. G.2.1 of the bye-laws of the Goa Cooperative Marketing and Supply Federation Ltd., Panaji, the Government of Goa, Daman and Diu hereby extends the term of the Committee of Management nominated vide the notification cited above for a further period of six months with effect from 27-9-1977.

By order and in the name of the Administrator of Goa, Daman and Diu.

E. N. Rodrigues, Under Secretary (Revenue).

Panaji, 27th October, 1977.

Revenue Department

Notification

No. RD/LQN/135/76

The Government Notification No. RD/LQN/135/76 dated 19-8-1976 regarding land acquisition for construction of Sports Stadium for Iron Ore Mines Workers at Maulinguem in Bicholim Taluka, admeasuring 40,250.00 square metres published on page 165 of Series II, No. 22 of the Official Gazette dated 26-8-1976, is hereby cancelled with immediate effect.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

V. V. Mongia, Secretary (Revenue).

Panaji, 8th December, 1977.

Notification

No. RD/LQN/285/74

Whereas by Government Notification No. RD/LQN/285/74 dated 16-12-1974 published on page 458-459 of Series II, No. 39 of the Official Gazette, dated 26-12-1974 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. for plantation of Industrial and Economic Importance at Condimol-Bali (Quepem).

And Whereas the appropriate Government (hereinafter referred to as «the Government») is satisfied after considering the report made under sub-section (2) of Section 5A of

the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Land Acquisition Officer, Panaji-Goa, to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Land Acquisition Officer, Panaji-Goa, till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Quepem	Bondordem	1/part	14	1) Shri Datta Raiu Phal Dessai. 2) Shri Uttam Gonba Phal Dessai. 3) Shri Xiu Mosno Phal Dessai.	16,590.00
					1) Shri Datta Raiu Phal Dessai. 2) Shri Uttam Gonba Phal Dessai. 3) Shri Xiu Mosno Phal Dessai.	2,285.00
Boundaries:						
North: River and Survey No. 14/1 part.						
South: Survey No. 12, Survey No. 13/1 part.						
East: Road.						
West: River and Survey No. 14/1 part.						
Total						18,875.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

V. V. Mongia, Secretary (Revenue).

Panaji, 7th December, 1977.

Public Health Department

Order

No. PHD/84(1)/77/SRL/PSW

A tentative list of seniority of Psychiatric Social Workers (Group B-non-Gazetted posts in the scale of Rs. 550-900) in the Directorate of Health Services, Panaji, was circulated to all concerned vide Government memorandum of even number

dated 5-8-1977. After considering the representation against the same, it has been decided that the final seniority list shall be as under:—

- 1) Shri A. N. J. Poduval.
- 2) Kum. Cicily Kurian.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. M. Sardesai, Under Secretary (Health).

Panaji, 9th December, 1977.

Industries and Labour Department

Order

No. CLE/I/ID (100)/75/IT-23/75

The following Award given by the Industrial Tribunal, Goa, Daman and Diu on an industrial dispute between the Management of M/s. Shantilal Khushaldas & Bros. Pvt. Ltd., Margao Goa and their workman Shri F. X. Noronha employed under them is hereby published as required vide provisions of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947).

G. M. Sardessai, Under Secretary, Industries and Labour.

Panaji, 7th December, 1977.

Before Shri R. V. Kollali, Presiding Officer, Industrial Tribunal-Cum-Labour Court, Government of Goa, Daman and Diu

Reference No. IT/38/75

Shri F. X. Noronha, represented by The President, Goa General Offices and Establishments Staff Association, Aliados Buildings, 1st Floor, Near Post Office, Margao-Goa.

... First Party

V/s.

M/s. Shantilal Khushaldas and Bros. Private Limited, Margao-Goa.

... Second Party

The Government of Goa, Daman and Diu, referred the dispute between the above parties for adjudication with the following schedule:

SCHEDULE

"Whether the action of the Management of M/s. Shantilal Khushaldas & Bros. Pvt. Ltd., Margao, Goa, in superannuating the services of Shri F. X. Noronha, with effect from 30-4-75, is legal and justified?

If not, to what relief the concerned workman is entitled to?"

The reference was registered and a receipt of notice, the First Party filed a claim statement contending inter alia that the notice of 19-4-75 issued to the First Party workman terminating his services with effect from 30-4-75 on the ground of superannuation was wrongful and illegal as no age of retirement had been specified in the conditions of employment, that, the workman was in a physically good condition and had never been declared medically unfit, that the workman, therefore, continues to be in service since 1-5-75 and hence refusal to employ him was wrong and that therefore an award be made for reinstatement of the workman with continuity of service and full back wages.

The Second Party contended as follows: the practice of continuing employees in service until the age of 58 years was in vogue and the management could, in its discretion continue such of the employees as were physically fit, should the exigencies of work demand it; the First Party workman had reached 58 years of age on 1-8-74, but had been continued till 1-5-75 when it was unnecessary to employ him further; the date of birth of the workman as recorded in Second Party's record differed from what it appeared on the record of the Provident Fund and though efforts were made to obtain a clarification from the Provident Fund Commissioner in this respect by the Second Party, no reply was given by the Provident Fund Commissioner and hence the Second Party had no alternative but to act on the basis of its own record; the date of birth on the record of the Provident Fund Commissioner must have been changed at the instance of the workman himself; and hence the claim made by the First Party was to be negated. It was also prayed that if reinstatement with back wages was to be ordered, the Second Party be allowed to pay the back wages in instalments because of the financial conditions of the Second Party.

By his rejoinder, the First Party denied having got his date of birth altered in the Provident Fund records.

In view of the contentions of the parties, two additional issues were settled for hearing. They were:

1. What is the age of workman on 1-5-75?

2. What is the age of superannuation for 2nd party employees?

The case got set down for evidence and came up on some dates. Then the First Party representative announced that he was not leading any oral evidence but would rely on documents produced. The Second Party declared that it would examine 3 witnesses. Thereafter, the parties negotiated for a possible settlement. They settled the dispute amicably and filed a memo of settlement which was admitted before this Tribunal.

Under the terms of the settlement Rs. 10000/- were to be paid within a week of the date of the settlement and Rs. 14169.22 were to be paid in seven monthly instalments payable on or before 8th of each commencing from September, 1977. The settlement also has recorded that with the settlement all claim of the First Party as against the Second Party stand fully satisfied and no claim would be outstanding. As a substantial amount is being received by the workman who is himself satisfied with it, the settlement is accepted as being just and fair. An award is therefore made in terms thereof.

AWARD

The award is made in terms of the settlement annexed here unto and the same will be read as part of this award.

Dated: — 24-10-77.

(R. V. KOLLALI)

Place: — Dona Paula.

Presiding Officer

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

G. M. Sardessai, Under Secretary, Industries and Labour.

Before Shri Kollali, Presiding Officer, Industrial Tribunal; Dona Paula, Panaji

Ref: — IT No. 38/75

BETWEEN

M/s. Shantilal Khushaldas & Bros. Pvt. Ltd.,

AND

The workman Shri F. X. Noronha

Reference for wrongful termination of services & reinstatement with back wages.

MAY IT PLEASE YOUR HONOUR

The parties to the dispute wish to state that they have arrived at mutual settlement which is agreeable to both the parties.

An amount of Rs. 24,169.22 (Rupees twenty four thousand one hundred sixty nine and paise twenty two only) will be paid by Employer Company to the workman Shri F. X. Noronha. Out of which an amount of Rs. 10,000/- (Rupees ten thousand only) will be paid within a week from the date of settlement and the remaining amount in seven instalments payable on or before 8th of each month, commencing from September, 1977.

With this settlement, the claims of the said workman are settled in full and there will be no further claims with the Company and termination will be treated as final and there will be no more claims for reinstatement.

Sd/-

Sd/-

Representing the employer

Representing the workman.

Agreed

Sd/-

Francis Xavier Noronha

Presented on 29-7-77.

Order

No. LC/1/IT/9856/77/LAB

The following Award given by the Industrial Tribunal, Goa, Daman and Diu on an industrial dispute between the

Management of M/s Hotel Mandovi, Panaji Goa and their workman Shri Xanum Murgaonker employed under them is hereby published as required vide provisions of Section 17 of the Industrial Disputes Act 1947 (XIV of 1947).

G. M. Sardesai, Under Secretary, Industries and Labour.

Panaji, 7th December, 1977.

Before Shri R. V. Kollali, Presiding Officer, Industrial Tribunal-Cum-Labour Court, Government of Goa, Daman and Diu
Dona Paula, Goa

Reference No. IT/3/77

M/s. Hotel Mandovi,
Panaji-Goa.

— Applicant

V/s.

Shri Shanu Murgaonkar, Page Boy,
Queunem, Taleigao, Ilhas-Goa.

— Opposite Party.

The workman present in person and presents a memo stating that he does not want to proceed with this application and that certificate of service had been given to him by the opponent. The memo is signed by workman's representative. Shri Desai consents. Hence the following order.

Order

In view of the memo filed by the applicant the proceedings on this application are closed as desired by the applicant. Case is disposed off.

Sd/-

(R. V. KOLLALI)
Presiding Officer.

Place: — Dona Paula.

Dated: — 2nd November, 1977.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

G. M. Sardesai, Under Secretary, Industries and Labour.

Before Shri R. V. Kollali, Industrial Tribunal-Cum-Labour Court,
at Dona Paula

Application No. 3/77

in

Reference No. 4/74

BETWEEN

M/s. Hotel Mandovi, Panaji

— Applicant

AND

Shri Xanum Murgaonkar

— Opponent

MAY IT PLEASE YOUR HONOUR

At the outset I withdraw the objections filed by me on 21-2-77 in reply to above application and submit as under: —

The workman/opponent in the above application has secured a job in Cancer Hospital at Dona Paula.

The authorities of the Cancer Hospital has directed me to produce service certificate for having worked with Hotel Mandovi.

Since I am getting a good job, which is also close to my house, I do not want to continue with the case and as such pray this Hon'ble Tribunal to kindly grant approval as prayed for by the applicant.

I pray that your Honour may be pleased to direct the applicant to issue me a good service certificate as early as possible.

For which act of kindness, I shall ever remain.

Sd/-

(Xanum Murgaonkar)

Panaji, 20th August, 1977

2-11-1977

Sd/-

(N. J. Rebello)

General Secretary,

The Goa Hotel & Restaurant Employees' Union.

No objections

Sd/-

(Ramesh Desai)

For employer.